

**Changes to the OBRA Waiver Effective April 1, 2023 (Amendment)**

**KEY – Bold = Recommended additions**  
**Strikethrough= Recommended removal**

| #  | Waiver Section   | Current Approved Language  | Recommended Revised Language   | Reason for the Change                             |
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| 1. |  |  | <i>Throughout the waiver, the terms “support worker”, “support service worker” have been updated to “direct care worker”. Additionally, the names and acronyms for OLTL Bureaus have been updated for accuracy. These technical edits may not appear on this side-by-side.</i>   |   |
| 2. | Appendix A-2-a. Medicaid Director Oversight of Performance When the Waiver is Operated by another Division/Unit within the State Medicaid Agency | <ul style="list-style-type: none"> <li>• Bureau of Participant Operations (BPO) – effectively operationalizes home and community-based waiver programs through oversight of participant enrollment functions; review and approval of individual service plans, provision of programmatic guidance to service coordinators and providers. Also manages the participant helpline and provides assistance to service coordinators on protective services cases.</li> <li>• Bureau of Policy and Regulatory Management – evaluates existing policies and develops new policies to provide uniform guidelines to other OLTL bureaus and to the HCBS provider community. Develops and submits waiver amendment to CMS; develops communications for providers and the general public to convey OLTL’s policies and strategic vision; develops regulations, statements of policy and rate notices as needed; monitors and reviews state and federal policies for impact on HCBS programs.</li> <li>• Bureau of Bureau of Quality and Provider Management – conducts quality management and improvement monitoring of long-Term Living programs and services to ensure compliance with federal and state regulations and the delivery of quality programs to assure the health and welfare of consumers; ensures that program and service delivery systems achieve desired outcomes. It also</li> </ul> | <ul style="list-style-type: none"> <li>• <b>The Bureau of Coordinated and Integrated Services (BCIS) is responsible for the administration and oversight of the Community Health Choices (CHC) Managed Care Organizations (MCO) and the Living Independently for the Elderly (LIFE) managed care program, known nationally as the Program for All-Inclusive Care for the Elderly, which provide managed long-term services and supports to eligible recipients. The bureau negotiates agreements with managed care organizations and contracts with other vendors that support bureau functions; monitors CHC MCO agreements through the readiness review monitoring process; recommends program sanctions and penalties, where appropriate; and directs corrective action plans for CHC MCOs and other contractors. The BCIS also manages the enrollment contracts, including participant outreach, assessment, and the independent enrollment broker (IEB).</b></li> <li>• <del>Bureau of Participant Operations (BPO) – effectively operationalizes home and community-based waiver programs through oversight of participant enrollment functions; review and approval of individual service plans, provision of programmatic guidance to service coordinators and providers. Also manages the participant helpline and provides assistance to service coordinators on protective services cases.</del></li> </ul> | Update information about the Bureaus within OLTL. |

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|   |                | <p>oversees provider management functions for OLTL including provider certification and enrollment; updates provider files; oversees MA provider billing; prepares financial reports as appropriate, including reports required by the Centers for Medicare and Medicaid Services (CMS) and other regulatory agencies.</p> <ul style="list-style-type: none"> <li>• Bureau of Finance – is responsible for financial operational management of the waivers and ongoing monitoring of expenditures and related information; oversees and develops HCBS service rates; provides budget analysis to help inform policy decisions.</li> </ul> | <ul style="list-style-type: none"> <li>• <b>The Bureau of Fee for Service Programs (BFFSP) manages provider focused activities and functions in OLTL. The BFFSP coordinates all provider enrollment activities and manages the Agency with Choice FMS contract. This contract provides payroll assistance to participants in the self-directed model of care. The BFFSP provides programmatic guidance to service providers and general training and technical support for the bureau, OLTL, business partners and contracted staff. The bureau ensures compliance with federal regulations related to the HCB Settings Rule in coordination with the Quality Management Efficiency Teams (QMETs) that conduct reviews of enrolled providers.</b></li> <li>• <del>Bureau of Policy and Regulatory Management – evaluates existing policies and develops new policies to provide uniform guidelines to other OLTL bureaus and to the HCBS provider community. Develops and submits waiver amendment to CMS; develops communications for providers and the general public to convey OLTL’s policies and strategic vision; develops regulations, statements of policy and rate notices as needed; monitors and reviews state and federal policies for impact on HCBS programs.</del></li> <li>• <b>The Bureau of Policy Development and Communications Management (BPDCM) supports the strategic policy and communication goals across all bureaus and the Deputy Secretary’s Office. The BPDCM plans, coordinates, evaluates, and develops policies and procedures across the OLTL, and coordinates internal and external communication with stakeholders. The bureau serves as a liaison with other DHS programs and policy offices and other commonwealth agencies, supports all bureaus in the development of consistent policy, evaluating impact, and improving strategic direction. The bureau responds to all right to know requests, develops and processes new regulations, and submits state plan and waiver documents to the federal government.</b></li> </ul> |                       |

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|   |                |                           | <p><del>• Bureau of Bureau of Quality and Provider Management—conducts quality management and improvement monitoring of long Term Living programs and services to ensure compliance with federal and state regulations and the delivery of quality programs to assure the health and welfare of consumers; ensures that program and service delivery systems achieve desired outcomes. It also oversees provider management functions for OLTL including provider certification and enrollment; updates provider files; oversees MA provider billing; prepares financial reports as appropriate, including reports required by the Centers for Medicare and Medicaid Services (CMS) and other regulatory agencies.</del></p> <p><b>• The Bureau of Quality Assurance and Program Analytics (BQAPA) is responsible for ensuring that valid statistical and procedural methodologies are used to collect and analyze quality control data to evaluate and improve service delivery. The bureau manages data analysis to measure the effectiveness of program design and operations, and ensures required reports are provided to CMS and other regulatory entities. The bureau also supports OLTL management in the development and implementation of policies and procedures, oversees the analysis of data obtained through consumer satisfaction surveys and provider performance measures, and directs all activities related to incident management and risk reduction.</b></p> <p><del>• Bureau of Finance—is responsible for financial operational management of the waivers and ongoing monitoring of expenditures and related information; oversees and develops HCBS service rates; provides budget analysis to help inform policy decisions.</del></p> <p><b>• Bureau of Finance (BOF) manages and monitors OLTLs appropriations and operating budget. The BOF serves as liaison to the DHS budget office and the Governor’s budget office. The bureau develops and manages related fiscal activities including rate setting, cost reporting,</b></p> |                       |

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|    |  |   | <p><b>budget reporting and submissions, audits, and fiscal management of grants and contracts.</b></p>  |   |
| 3. | Appendix A-3. Use of Contracted Entities | <p>OLTL also contracts with one Fiscal Employer/Agent (F/EA) to perform certain functions for the successful operation of participant direction. These administrative functions delegated to the FMS by OLTL include...</p> <p>The Fiscal/Employer Agent is also responsible for procuring a Support Broker(s) to provide employer-related assistance and training to common-law employers.</p> | <p><b>Participant Direction:</b><br/> <b>OLTL contracts with one Fiscal/Employer Agent (F/EA) and one Agency with Choice (AWC) vendor to provide Financial Management Services (FMS) and support to participants who choose to self-direct their services. Under the F/EA, the participant serves as the common law employer. Under AWC, the participant serves as the managing employer.</b></p> <p><del>OLTL also contracts with one Fiscal Employer/Agent (F/EA) to perform certain functions for the successful operation of participant direction. These administrative functions delegated to the FMS F/EA by OLTL include...</del></p> <p><b>The participant or participant’s representative serves as the common law employer. Common law employers are responsible for activities that include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li><b>• Recruiting and selecting direct care workers;</b></li> <li><b>• Interviewing, hiring and firing direct care workers;</b></li> <li><b>• Setting an hourly wage for the direct care workers;</b></li> <li><b>• Training and scheduling direct care workers and managing direct care workers’ on-the-job duties.</b></li> </ul> <p><del>The Fiscal/Employer Agent is also responsible for procuring a Support Broker(s) to provide employer-related assistance and training to common law employers.</del></p> <p><b>The functions of the AWC vendor include:</b></p> <ul style="list-style-type: none"> <li><b>• Processing timesheets, making wage payments, and managing all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers.</b></li> </ul> | <p>Add AWC as a model of FMS to support participant direction in addition to the F/EA and explain the AWC vendor’s functions and participant responsibilities.</p> <p>Amend the responsibilities of the F/EA by removing the Support Broker because the support broker activities are currently being provided either by the F/EA or by the service coordinators. It is not feasible to implement a separate support broker function because it would be duplicative.</p> |

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|   |                |                           | <ul style="list-style-type: none"> <li>• Ensuring compliance with EVV requirements by direct care workers.</li> <li>• Conducting criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C.</li> <li>• Hiring qualified direct care workers referred by the participant or participant’s representative, supporting the participant/managing employer with any disciplinary actions with the direct care worker, and firing of direct care workers.</li> <li>• Assisting participants with selecting a wage for their direct care workers.</li> <li>• Processing employment documents and voluntary deductions from direct care worker wages.</li> <li>• Submitting claims to the Department for services authorized and rendered.</li> <li>• Preparing, making and disbursing direct care workers’ payroll checks.</li> <li>• Providing workers’ compensation coverage for direct care workers.</li> <li>• Providing Managing Employer skills training to participants.</li> <li>• Conducting direct care worker training in conjunction with the participant/managing employer.</li> <li>• Establishing, maintaining and processing records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards.</li> <li>• Providing monthly statements to participants so they can appropriately track utilization of services and the corresponding funds.</li> <li>• Assist in implementing the state's quality management strategy related to FMS.</li> <li>• Fulfilling any responsibilities established by OLTL policies.</li> </ul> |                       |

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|    |  |                           | <ul style="list-style-type: none"> <li>• Processing all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws.</li> <li>• Preparing and disbursing IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually.</li> <li>• Establishing an accessible customer service system for the participant and the Service Coordinator.</li> </ul> <p>The participant or participant's representative serves as the managing employer. Managing employers are responsible for activities that include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Selecting and dismissing direct care workers;</li> <li>• Referring qualified direct care workers to the AWC vendor for hire;</li> <li>• Directing the responsibilities of their direct care workers;</li> <li>• Scheduling and arranging for back-up services (with assistance from the AWC vendor as requested);</li> <li>• Training the direct care workers to meet the participant's needs.</li> </ul> |   |
| 4. | Appendix A-6. Assessment Methods and Frequency |                           | <p>Agency with Choice FMS vendor:<br/> OLTL contracts with a vendor to provide AWC services to participants who choose to self-direct their services and choose the AWC FMS model. This contract is managed by staff in the Bureau of Fee for Service Programs. Contract Management staff will oversee and ensure that the contracted AWC vendor meets all requirements and tasks as outlined in their contract and agreement with the Department.</p> <p>The contracted AWC vendor will be required to submit monthly, quarterly and yearly reports which reflect progress in meeting all contractual obligations. OLTL staff dedicated to this contract will review this information and intercede when necessary with corrective actions to ensure compliance. In addition, regular meetings will be</p>  | Add AWC contract management responsibility. |

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|    |   |  | <p>held at least quarterly between the contracted entity and the department to discuss any issues and for the department to provide any necessary technical assistance it feels is needed.</p> <p>If the AWC is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC. OLTL reviews and approves or disapproves the CAP within 15 days of receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p>  |   |
| 5. | Appendix C-2-a. Criminal History and/or Background Investigations | <p>Criminal history checks are required for all support service workers and must be conducted in accordance with 55 PA Code, Chapter 52, Sections 52.19 and 52.20. Individuals choosing to self-direct their services have the right to employ a worker regardless of the outcome of the background check. Support service workers who are employed by waiver participants must have criminal history clearances completed prior to hire, facilitated through the FEA as described below, so that participants can make an informed decision on whether to employ a worker who has a criminal record.</p> <p>...</p> <p>The Fiscal Employer/Agent (F/EA) is responsible for securing criminal history background checks for prospective support service workers prior to hiring workers. The cost of conducting criminal history background checks is included in the monthly per member per month rate paid to the F/EA. In addition, the F/EA must have a system in place to 1) document that the criminal history background check was conducted, and 2) notify individuals of the results of</p> | <p>Criminal history checks are required for all <del>support service</del> <b>direct care</b> workers and must be conducted in accordance with 55 PA Code, Chapter 52, Sections 52.19 and 52.20.</p> <p><b>Under the F/EA model of FMS</b>, individuals choosing <b>to serve as the common law employer</b> <del>to self-direct their services</del> have the right to employ a worker regardless of the outcome of the background check. <del>Support service</del> <b>Direct care</b> workers who are employed by waiver participants must have criminal history clearances completed prior to hire, facilitated through the F/EA <b>or the AWC vendor</b> as described below, so that participants can make an informed decision on whether to employ a worker who has a criminal record.</p> <p>...</p> <p><b>Under participant-direction</b>, the Fiscal Employer/Agent (F/EA) <b>or the AWC vendor</b> is responsible for securing criminal history background checks for prospective <del>support service</del> <b>direct care</b> workers prior to hiring workers. The cost of conducting criminal history background checks is</p> | Add AWC vendor. The AWC vendor will be required to complete criminal background checks just as the F/EA is required to do so. |

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|    |   | the background check, and 3) document the individual's decision to employ a support service worker with a criminal record and their acceptance of responsibility for their decision.   | included in the monthly per member per month rate paid to the F/EA <b>and the AWC vendor</b> . In addition, the F/EA <b>or the AWC vendor</b> must have a system in place to 1) document that the criminal history background check was conducted, and 2) notify individuals of the results of the background check, and 3) document the individual's decision to employ a <b>support-service direct care</b> worker with a criminal record and their acceptance of responsibility for their decision. |  |
| 6. | Appendix C-2-b. Abuse Registry Screening  | The F/EA is responsible for securing clearances for prospective support service workers. The cost of conducting clearances is included in the monthly per member per month rate paid to the F/EA. In addition, the F/EA must have a system in place to document that the clearances were conducted.                    | The F/EA <b>or the AWC vendor</b> is responsible for securing clearances for prospective <b>support-service direct care</b> workers. The cost of conducting clearances is included in the monthly per member per month rate paid to the F/EA <b>or the AWC vendor</b> . In addition, the F/EA <b>or the AWC vendor</b> must have a system in place to document that the clearances were conducted.   | Add AWC vendor. The AWC vendor will be required to complete child abuse clearances just as the F/EA is required to do so.                  |
| 7. | Appendix C-2-e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians. | Service delivery is monitored electronically through HCSIS and PROMISe to provide reimbursement for services approved in the participant's ISP. The F/EA will not pay for services that are not documented as necessary on the ISP.  | <b>For the F/EA and the AWC vendor</b> , service delivery is monitored electronically through HCSIS and PROMISe to provide reimbursement for services approved in the participant's ISP. The F/EA <b>and the AWC vendor</b> will not pay for services that are not documented as necessary on the ISP.   | Add AWC vendor. The AWC vendor must ensure service delivery matches the units authorized based on the ISP similar to the F/EA requirement. |
| 8. | Appendix C-1/C-3 Service Specification<br><br>Benefits Counseling   | Benefits Counseling will be available in the waiver effective February 1, 2017....<br><br>...<br>The service provides information to the individual regarding the full array of available work incentives for essential benefit programs including SSI, SSDI, Medicaid, Medicare, housing subsidies, food stamps, etc. | <del>Benefits Counseling will be available in the waiver effective February 1, 2017....</del><br><br>...<br>The service provides information to the individual regarding the full array of available work incentives for essential benefit programs including SSI, SSDI, Medicaid, Medicare, housing subsidies, <b>food stamps SNAP</b> , etc.   | Remove outdated text and correct food stamps to SNAP.  |
| 9. | Appendix C-1/C-3 Service Specification<br><br>Benefits Counseling   | Benefits Counseling may not be rendered under the waiver to a participant under a program funded by either the Rehabilitation Act of 1973 as amended or any other small business development resource available to the participant. This means that Benefits Counseling services may only be                           | <del>Benefits Counseling may not be rendered under the waiver to a participant under a program funded by either the Rehabilitation Act of 1973 as amended or any other small business development resource available to the participant. This means that Benefits Counseling services may only be</del>  | Remove requirement to access OVR services first. This has been a barrier for participants and by removing it, participants can             |



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|     |  | <p>provided when documentation has been obtained that one of the following has occurred:</p> <ol style="list-style-type: none"> <li>1. OVR has closed a case for the participant or has stopped providing services to the participant;</li> <li>2. The participant was determined ineligible for OVR services; or</li> <li>3. It has been determined that OVR services are not available. If OVR has not made an eligibility determination within 120 days of the referral being sent, then OVR services are considered to not be available to the participant.</li> </ol> <p>Initial Benefits Counseling may only be provided if it is documented in the service plan that Benefits Counseling services provided by a Certified Work Incentives Counselor through a Pennsylvania-based federal Work Incentives Planning and Assistance (WIPA) program were sought and it was determined that such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days.</p> <p>In the event that OVR closes the order of selection, the following process will be followed until the closure is lifted:</p> <ol style="list-style-type: none"> <li>1. A participant who has been referred to OVR but does not have an approved Individualized Plan for Employment (IPE) may receive Benefits Counseling.</li> <li>2. A participant who has not been referred to OVR may receive Benefits Counseling without a referral to OVR.</li> </ol> | <p><del>provided when documentation has been obtained that one of the following has occurred:</del></p> <ol style="list-style-type: none"> <li><del>1. OVR has closed a case for the participant or has stopped providing services to the participant;</del></li> <li><del>2. The participant was determined ineligible for OVR services; or</del></li> <li><del>3. It has been determined that OVR services are not available. If OVR has not made an eligibility determination within 120 days of the referral being sent, then OVR services are considered to not be available to the participant.</del></li> </ol> <p><del>Initial</del> Benefits Counseling may only be provided if it is documented in the service plan that Benefits Counseling services provided by a Certified Work Incentives Counselor through a Pennsylvania-based federal Work Incentives Planning and Assistance (WIPA) program were sought and it was determined that such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days.</p> <p><del>In the event that OVR closes the order of selection, the following process will be followed until the closure is lifted:</del></p> <ol style="list-style-type: none"> <li><del>1. A participant who has been referred to OVR but does not have an approved Individualized Plan for Employment (IPE) may receive Benefits Counseling.</del></li> <li><del>2. A participant who has not been referred to OVR may receive Benefits Counseling without a referral to OVR.</del></li> </ol> | <p>access Benefits Counseling immediately from the waiver. Benefits Counseling in the waiver and OVR Benefits Counseling are not comparable services.</p> |
| 10. | Appendix D-2-a. Service Plan Implementation and Monitoring | <p>In addition, the F/EA assists both OLTL and the Service Coordinator in monitoring service utilization for participants who are self-directing their services. The F/EA is required to provide monthly reports to common law employers, service coordinators, and OLTL which display individual service utilization (both over and underutilization) and spending patterns. The F/EA is also responsible for providing written notification to the Service Coordinator of any common law employer who does not</p>   | <p>In addition, the F/EA <b>and the AWC vendor</b> assists both OLTL and the Service Coordinator in monitoring service utilization for participants who are self-directing their services. The F/EA <b>and the AWC vendor is are</b> required to provide monthly reports to common law employers, <b>managing employers</b>, service coordinators, and OLTL which display individual service utilization (both over and underutilization) and spending patterns. The F/EA is also responsible for providing written notification to the Service</p>  | <p>Add AWC vendor. The AWC vendor is responsible for submitting reports to monitor service utilization.</p>   |

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|     |   | submit timesheets for two or more consecutive payroll periods.   | Coordinator of any common law employer who does not submit timesheets for two or more consecutive payroll periods.   |   |
| 11. | Appendix E-1-a.<br>Description of Participant Direction | <p>Self-Directed Opportunities Available within the OBRA Waiver:<br/>All participants in the OBRA waiver have the right to make decisions about and self-direct their own waiver services and may choose to hire and manage staff using Employer Authority. Under Employer Authority, the participant serves as the common-law the employer and is responsible for hiring, firing, training, supervising, and scheduling their support workers. In addition, participants may choose a combination of service models to meet their individual needs. Participants are encouraged to self-direct their services to the highest degree possible. During the actual provision of services, the participant is responsible for directing the activities of their support worker.</p> <p>...</p> <p>Entities That Support Individuals:<br/>Participants will receive a full-range of supports, ensuring that they are successful with the participant-directed experience. Individuals choosing Employer Authority will receive support from a certified Fiscal/Employer Agent (F/EA), Support Brokers, and Service Coordinators to assist them in their role as the common-law employer of their workers...</p> <p>...</p> <p>Participants may receive assistance and training from Support Brokers on their roles and responsibilities as a common-law employer. Support Broker services are designed to provide assistance as needed with employer-related functions and maintenance in order to support the participant's ability to self-direct their services. Support Broker services are optional services and may supplement, but do not replace, the supports provided by either the F/EA or Service Coordinator. To support a participant to</p> | <p>Self-Directed Opportunities Available within the OBRA Waiver:<br/>All participants in the OBRA waiver have the right to make decisions about and self-direct their own waiver services. <b>Participants may choose to serve as a managing employer or the common law employer</b> and <del>may choose to</del> hire and manage staff using Employer Authority. <del>Under Employer Authority, the participant serves as the common-law the employer and is responsible for hiring, firing, training, supervising, and scheduling their support workers.</del> In addition, participants may choose a combination of service models to meet their individual needs. Participants are encouraged to self-direct their services to the highest degree possible. During the actual provision of services, the participant is responsible for directing the activities of their <del>support</del> <b>direct care</b> worker.</p> <p><b>Under Employer Authority, there are two models of Financial Management Services (FMS) to support participants who choose to self-direct their services, Fiscal/Employer Agent (F/EA) and Agency with Choice (AWC). With F/EA, the participant serves as the common-law employer and is responsible for hiring, firing, training, supervising, and scheduling their direct care worker.</b></p> <p><b>AWC allows the participant to serve as the managing employer while the OLTL-contracted AWC vendor supports the participant by conducting all the necessary payroll functions and is legally responsible for managing the employment-related functions and duties for participant-selected direct care workers. The participant selects and dismisses direct care workers, refers qualified direct care workers to the AWC vendor for hire, directs the responsibilities of their direct care workers, schedules and arranges for back-up services (with assistance from the</b></p> | <p>Add AWC vendor's responsibilities and describe participant's role as the managing employer.</p> <p>Amend the responsibilities of the F/EA by removing the Support Broker because the support broker activities are currently being provided either by the F/EA or by the service coordinators. It is not feasible to implement a separate support broker function because it would be duplicative.</p> |

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|   |                | <p>self-direct, duties performed by a Support Broker may include assistance with:</p> <ul style="list-style-type: none"> <li>• Understanding and/or fulfilling the responsibilities outlined in the Common Law Employer Agreement form and the Managing Employer Agreement form;</li> <li>• Understanding and completing employer or managing employer related paperwork;</li> <li>• Effective hiring techniques including creating job descriptions, ads for hiring, strategies for evaluating candidates, and informing candidate on selection or non-selection;</li> <li>• Techniques for interviewing and conducting reference checks;</li> <li>• Effective management and supervision techniques such as conflict resolution;</li> <li>• Proper procedures for termination of workers or communication with the Service Coordination Entity regarding the desire for termination of workers;</li> <li>• Review of workplace safety issues and strategies for effective management of workplace injury prevention;</li> <li>• Techniques on scheduling paid and unpaid supports;</li> <li>• Developing systems or finding help to manage finances and resources;</li> <li>• Techniques related to problem-solving, decision-making, and achieving desired outcomes within self-directed services; and</li> <li>• Assisting an individual to be a successful employer of self-directed services.</li> </ul> <p>Support Brokers must work collaboratively with the participant’s Service Coordinator. The Support Broker assists individuals and representatives with being able to self-direct the individual's services and supports. Support Brokers may not replace the role or perform the functions of a Service Coordinator. No duplicate payments will be made.</p> | <p><b>AWC vendor as requested) and trains the direct care workers to meet their needs.</b></p> <p>...</p> <p>Entities That Support Individuals:<br/>Participants will receive a full-range of supports, ensuring that they are successful with the participant-directed experience <b>through their Service Coordinator and either an F/EA or AWC vendor.</b> Individuals choosing to serve as <b>the common law employer of their workers under</b> Employer Authority will receive support from a certified Fiscal/Employer Agent (F/EA), <b>Support Brokers,</b> and Service Coordinators to assist them in their role as the common-law employer of their workers. <b>Participants who want to choose their own direct care worker(s), but not serve as the common-law employer of that worker, will receive support through the state selected AWC vendor.</b></p> <p><b>AWC is provided by a vendor contracted with OLTL. Under AWC, the AWC vendor is the employer of record for the direct care worker. In the capacity as employer of record, the AWC vendor is responsible for activities that include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li>• <b>Processing timesheets, making wage payments, and managing all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers.</b></li> <li>• <b>Ensuring compliance with EVV requirements by direct care workers.</b></li> <li>• <b>Conducting criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C.</b></li> <li>• <b>Hiring qualified direct care workers referred by the participant or participant’s representative, supporting the participant/managing employer with any disciplinary</b></li> </ul> |                       |

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|   |                | <p>In addition, individuals choosing to self-direct their services will receive assistance from their Service Coordinator to develop their Individual Service Plan (ISP).</p> | <p><b>actions with the direct care worker, and firing of direct care workers.</b></p> <ul style="list-style-type: none"> <li>• <b>Assisting participants with selecting a wage for their direct care workers.</b></li> <li>• <b>Processing employment documents and voluntary deductions from direct care worker wages.</b></li> <li>• <b>Submitting claims to the Department for services authorized and rendered.</b></li> <li>• <b>Preparing, making and disbursing direct care workers' payroll checks.</b></li> <li>• <b>Providing workers' compensation coverage for direct care workers.</b></li> <li>• <b>Providing Managing Employer skills training to participants.</b></li> <li>• <b>Conducting direct care worker training in conjunction with the participant/managing employer.</b></li> <li>• <b>Establishing, maintaining and processing records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards;</b></li> <li>• <b>Providing monthly statements to participants so they can appropriately track utilization of services and the corresponding funds.</b></li> <li>• <b>Assist in implementing the state's quality management strategy related to FMS.</b></li> <li>• <b>Fulfilling any responsibilities established by OLTL policies.</b></li> <li>• <b>Processing all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws.</b></li> <li>• <b>Preparing and disbursing IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually.</b></li> <li>• <b>Establishing an accessible customer service system for the participant and the Service Coordinator.</b></li> </ul> <p><b>The participant or participant's representative serves as the managing employer. Managing employers are</b></p> |                       |

| # | Waiver Section | Current Approved Language | Recommended Revised Language   | Reason for the Change |
|---|----------------|---------------------------|--|-----------------------|
|   |                |                           | <p><b>responsible for activities that include, but are not limited to:</b></p> <ul style="list-style-type: none"> <li><b>• Selecting and dismissing direct care workers;</b></li> <li><b>• Referring qualified direct care workers to the AWC vendor for hire;</b></li> <li><b>• Directing the responsibilities of their direct care workers;</b></li> <li><b>• Scheduling and arranging for back-up services (with assistance from the AWC vendor as requested);</b></li> <li><b>• Training the direct care workers to meet the participant's needs.</b></li> </ul> <p>...</p> <p><del>Participants may receive assistance and training from Support Brokers on their roles and responsibilities as a common-law employer. Support Broker services are designed to provide assistance as needed with employer-related functions and maintenance in order to support the participant's ability to self-direct their services. Support Broker services are optional services and may supplement, but do not replace, the supports provided by either the F/EA or Service Coordinator. To support a participant to self-direct, duties performed by a Support Broker may include assistance with:</del></p> <ul style="list-style-type: none"> <li><del>• Understanding and/or fulfilling the responsibilities outlined in the Common Law Employer Agreement form and the Managing Employer Agreement form;</del></li> <li><del>• Understanding and completing employer or managing employer related paperwork;</del></li> <li><del>• Effective hiring techniques including creating job descriptions, ads for hiring, strategies for evaluating candidates, and informing candidate on selection or non-selection;</del></li> <li><del>• Techniques for interviewing and conducting reference checks;</del></li> <li><del>• Effective management and supervision techniques such as conflict resolution;</del></li> </ul> |                       |

| #   | Waiver Section                                       | Current Approved Language | Recommended Revised Language   | Reason for the Change   |
|-----|--|---------------------------|--|---|
|     |  |                           | <ul style="list-style-type: none"> <li>• Proper procedures for termination of workers or communication with the Service Coordination Entity regarding the desire for termination of workers;</li> <li>• Review of workplace safety issues and strategies for effective management of workplace injury prevention;</li> <li>• Techniques on scheduling paid and unpaid supports;</li> <li>• Developing systems or finding help to manage finances and resources;</li> <li>• Techniques related to problem solving, decision making, and achieving desired outcomes within self-directed services; and</li> <li>• Assisting an individual to be a successful employer of self-directed services.</li> </ul> <p>Support Brokers must work collaboratively with the participant's Service Coordinator. The Support Broker assists individuals and representatives with being able to self-direct the individual's services and supports. Support Brokers may not replace the role or perform the functions of a Service Coordinator. No duplicate payments will be made.</p> <p>In addition, Individuals choosing to self-direct their services will receive assistance from their Service Coordinator to develop their Individual Service Plan (ISP).</p> |   |
| 12. | Appendix E-1-e. Information Furnished to Participant |                           | <p><b>The AWC vendor is responsible for providing orientation and training to the participant and direct care worker. Orientation and training materials are developed by the AWC vendor and are approved by OLTL and include, at minimum, the following:</b></p> <p><b>Participant (Managing Employer) Orientation and Training.</b> The AWC vendor provides orientation and training materials to participants within 14 calendar days of the notification that the participant chose the AWC model of FMS and prior to participant's receipt of services from a direct care worker. Orientation and training materials</p>  | Add AWC responsibilities regarding orientation and training for participants and direct care workers. |

| #   | Waiver Section  | Current Approved Language  | Recommended Revised Language   | Reason for the Change  |
|-----|---|--|--|--|
|     |   |  | <p>address the role and responsibilities of the participant as a managing employer, which includes:</p> <ul style="list-style-type: none"> <li>• Information on selection and referral of potential direct care workers to the selected Applicant for hire;</li> <li>• Training by participants for direct care workers on how to meet the participant’s needs;</li> <li>• Determining direct care worker schedules and responsibilities;</li> <li>• Managing the work performed by direct care workers in a supervisory capacity.</li> </ul> <p><b>Direct Care Worker Orientation and Training.</b><br/> The AWC vendor provides orientation and training and materials to direct care workers within 14 calendar days of the participant’s referral of a potential direct care worker to the AWC vendor and prior to the direct care worker being able to provide services to participants. The AWC vendor must:</p> <ul style="list-style-type: none"> <li>• Maintain documentation to verify a direct care worker’s completion of orientation and training.</li> <li>• Train direct care workers in accordance with 28 Pa. Code § 611.55 (relating to competency requirements) and 55 Pa. Code § 52.21 (relating to staff training). Such training shall also include, but is not limited to, development and implementation of relevant participant directed orientation curriculum, program responsibilities and requirements, including but not limited to EVV requirements.</li> </ul> |  |
| 13. | Appendix E-1-f. Participant Direction by a Representative | <p>The individual, a Service Coordinator, the OLTL, or the F/EA may request a personal representative be appointed, if indicated. A personal representative may be a legal guardian, or other legally appointed personal representative, an income payee, a family member, or friend. The personal representative must be willing and able to fulfill the responsibilities as outlined in the Personal Representative Agreement and must demonstrate:</p> <ul style="list-style-type: none"> <li>• Assist the participant in identifying/ obtaining back up services when a support worker does not show;</li> </ul> | <p>The individual, a Service Coordinator, <del>the</del> OLTL, <del>or</del> the F/EA <b>or the AWC vendor</b> may request a personal representative be appointed, if indicated. A personal representative may be a legal guardian, or other legally appointed personal representative, an income payee, a family member, or friend. The personal representative must be willing and able to fulfill the responsibilities as outlined in the <del>Personal Representative Agreement</del> <b>Designated Representative Form</b> and must demonstrate:</p>  | Add AWC responsibilities for personal representatives. They are similar to that of the F/EA. |



| # | Waiver Section | Current Approved Language  | Recommended Revised Language   | Reason for the Change |
|---|----------------|--|--|-----------------------|
|   |                | <p>The F/EA must recognize the participant’s personal representative as a decision-maker, and provide the personal representative with all of the information, training, and support it would typically provide to a participant who is self-directing. The F/EA must fully inform the personal representative of the rights and responsibilities of a representative. Once informed, the F/EA must have the representative review and sign the standard Common Law Employer Designation Form form, which must be given to the representative and maintained in the participant’s file. The agreement lists the roles and responsibilities of the representative; states that the representative accepts the roles and responsibilities of this function; and states that the representative will abide by OLTL policies and procedures.</p> <p>The Service Coordinator is responsible for ensuring the personal representative functions in the best interest of the participant through, at minimum, quarterly monitoring calls, by monitoring the personal representative’s adherence to the Common Law Employer Designation Form, and ensuring services are being provided as outlined in the participant’s ISP. When it appears the personal representative is not acting in the best interest of the participant, and there has been a negative impact on the participant’s health and welfare and/or services have not been provided as outlined in the ISP, the Service Coordinator must explore other alternatives, such as appointing a new personal representative or transitioning the participant to the provider managed service delivery model as described in Appendix E-1-m below. The Service Coordinator is also required to report any incidents of suspected abuse, neglect and/or exploitation as described in Appendix G.</p> <p>In addition, the F/EA is required to address and report any issues identified with the representative OLTL policy on</p> | <ul style="list-style-type: none"> <li>Assist the participant in identifying/ obtaining back up services when a <del>support</del> <b>direct care</b> worker does not show;</li> </ul> <p>The F/EA <b>and the AWC vendor</b> must recognize the participant’s personal representative as a decision-maker, and provide the personal representative with all of the information, training, and support it would typically provide to a participant who is self-directing. The F/EA <b>and the AWC vendor</b> must fully inform the personal representative of the rights and responsibilities of a representative. <b>For representatives acting as the common law employer</b>, once informed, the F/EA must have the representative review and sign the standard Common Law Employer Designation Form, which must be given to the representative and maintained in the participant’s file. The agreement lists the roles and responsibilities of the representative; states that the representative accepts the roles and responsibilities of this function; and states that the representative will abide by OLTL policies and procedures.</p> <p>The Service Coordinator is responsible for ensuring the personal representative functions in the best interest of the participant through, at minimum, quarterly monitoring calls, by monitoring the personal representative’s adherence to the Common Law Employer Designation Form <b>(when acting as the common law employer)</b>, and ensuring services are being provided as outlined in the participant’s ISP. When it appears the personal representative is not acting in the best interest of the participant, and there has been a negative impact on the participant’s health and welfare and/or services have not been provided as outlined in the ISP, the Service Coordinator must explore other alternatives, such as appointing a new personal representative or transitioning the participant to the provider managed service delivery model as described in Appendix E-1-m below. The Service Coordinator is also required to report any incidents of suspected abuse, neglect and/or exploitation as described in Appendix G.</p> |                       |



| #   | Waiver Section  | Current Approved Language  | Recommended Revised Language   | Reason for the Change                       |
|-----|---|--|--|---|
|     |   | incident reporting and report any incident of suspected fraud or abuse.  | In addition, the F/EA <b>and the AWC vendor is are</b> required to address and report any issues identified with the representative OLTL policy on incident reporting and report any incident of suspected fraud or abuse.   |   |
| 14. | Appendix E-1-i-i.<br>Provision of Financial Management Services – Types of Entities | Financial Management Services are provided to participants across the Commonwealth by one qualified Fiscal Employer Agent, which was selected through a competitive procurement process (RFA). | Financial Management Services are provided to participants across the Commonwealth by <del>one</del> a qualified Fiscal Employer Agent <b>or a qualified AWC vendor.</b> <del>which</del> <b>The AWC vendor</b> was selected through a competitive procurement process (RFA).  | Add AWC vendor and the procurement process. |
| 15. | Appendix E-1-i-ii.<br>Provision of Financial Management Services – Payment for FMS  |  | <b>The AWC vendor receives an ongoing per member per month administrative fee.</b>   | Add payment information for the AWC vendor. |
| 16. | Appendix E-1-i-iii.<br>Provision of Financial Management Services – Scope of FMS    |  | <p><b>The AWC vendor will:</b></p> <ul style="list-style-type: none"> <li>• <b>Process timesheets, make wage payments, and manage all required withholdings, including, but not limited to, Federal Insurance Contributions Act taxes for direct care workers.</b></li> <li>• <b>Ensure compliance with EVV requirements by direct care workers.</b></li> <li>• <b>Conduct criminal background checks and, when applicable, child abuse clearances, on potential direct care workers; and any other qualifications, including verifying that qualified direct care workers meet the qualification standards outlined in Appendix C.</b></li> <li>• <b>Hire qualified direct care workers referred by the participant or participant’s representative, support the participant/managing employer with any disciplinary actions with the direct care worker, and firing of direct care workers.</b></li> <li>• <b>Assist participants with selecting a wage for their direct care workers.</b></li> <li>• <b>Process employment documents and voluntary deductions from direct care worker wages.</b></li> <li>• <b>Submit claims to the Department for services authorized and rendered.</b></li> </ul> | Add the scope of the AWC model of FMS.      |

| #   | Waiver Section   | Current Approved Language   | Recommended Revised Language   | Reason for the Change  |
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|     |  |   | <ul style="list-style-type: none"> <li>• Prepare, make and disburse direct care workers' payroll checks.</li> <li>• Provide workers' compensation coverage for direct care workers.</li> <li>• Provide Managing Employer skills training to participants.</li> <li>• Conduct direct care worker training in conjunction with the participant/managing employer.</li> <li>• Establish, maintain and process records for all participants and direct care workers with confidentiality, accuracy and appropriate safeguards;</li> <li>• Provide monthly statements to participants so they can appropriately track utilization of services and the corresponding funds.</li> <li>• Assist in implementing the state's quality management strategy related to FMS</li> <li>• Fulfill any responsibilities established by OLTL policies.</li> <li>• Process all judgments, garnishments, tax levies or any related holds on workers' pay as may be required by federal, state or local laws;</li> <li>• Prepare and disburse IRS Forms W-2's and/or 1099's, wage and tax statements and related documentation annually; and</li> <li>• Establish an accessible customer service system for the participant and the Service Coordinator.</li> </ul> |  |
| 17. | Appendix E-1-i-iii.<br>Provision of Financial Management Services – Scope of FMS |   | The F/EA and the AWC vendor must provide accurate and timely reports monthly to common law employers, managing employers and service coordinators. These reports include service utilization, written notification of over and underutilization. Additionally, the F/EA will provide notification of any common law employer who does not submit timesheets for two or more consecutive payroll periods.   | Add information that the F/EA and AWC vendor must report on service utilization. |
| 18. | Appendix E-1-i-iv.<br>Provision of Financial Management Services                 | OLTL will monitor the selected vendor to ensure that the contract deliverables are met and participants are in receipt of F/EA Financial Management Services in accordance with their ISP. The statewide vendor will be monitored by QMET | OLTL will monitor the selected vendor to ensure that the contract deliverables are met and participants are in receipt of F/EA Financial Management Services in accordance with their ISP. The statewide vendor will be monitored by QMET  | Add OLTL monitoring responsibilities of the AWC vendor.                          |

| # | Waiver Section                     | Current Approved Language  | Recommended Revised Language   | Reason for the Change |
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|   | <p>– Oversight of FMS Entities</p> | <p>annually. OLTL will monitor the FMS organization's F/EA's performance of administrative activities, as well as adherence to contract conditions and waiver requirements...</p> <p>...</p> | <p>annually. OLTL will monitor the <del>FMS organization's</del> <b>F/EA's</b> performance of administrative activities, as well as adherence to contract conditions and waiver requirements...</p> <p>...</p> <p><b>OLTL will monitor the AWC vendor. This applies to all of the oversight activities below. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their PCSP. OLTL will monitor the AWC vendor's performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness of processing employee paperwork, timeliness of and accuracy of payments to workers, accuracy of information provided to participants and workers by the AWC vendor, and timeliness of criminal background checks and child abuse clearances as needed. If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will identify and remediate any noncompliance. OLTL will monitor performance through the use of monthly utilization reports, quarterly and annual status reports, as well as problem identification reports. These reports cover activities performed and issues encountered during the reporting period. OLTL will also conduct monitoring more frequently if utilization or problem identification reports indicate additional review is necessary.</b></p> <p><b>If the AWC is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC. OLTL reviews and approves or disapproves the CAP within 15 days of</b></p> |                       |

| #   | Waiver Section  | Current Approved Language  | Recommended Revised Language  | Reason for the Change  |
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|     |   |  | <p>receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p>  |  |
| 19. | Appendix E-1-j. Information and Assistance in Support of Participant Direction. | <p>In addition, the F/EA is responsible for procuring employer-related training and support through a Support Broker(s). Participants may receive assistance and training from Support Brokers on their roles and responsibilities as a common-law employer. Support Broker services are designed to provide assistance as needed with employer-related functions and maintenance in order to support the participant's ability to self-direct their services. Support Broker services are optional services and may supplement, but do not replace, the supports provided by either the F/EA or Service Coordinator. To support a participant to self-direct, duties performed by a Support Broker may include assistance with:</p> <ul style="list-style-type: none"> <li>• Understanding and/or fulfilling the responsibilities outlined in the Common Law Employer Agreement form and the Managing Employer Agreement form;</li> <li>• Understanding and completing employer or managing employer related paperwork;</li> <li>• Effective hiring techniques including creating job descriptions, ads for hiring, strategies for evaluating candidates, and informing candidate on selection or non-selection;</li> <li>• Techniques for interviewing and conducting reference checks;</li> <li>• Effective management and supervision techniques such as conflict resolution;</li> <li>• Proper procedures for termination of workers or communication with the Service Coordination Entity regarding the desire for termination of workers;</li> <li>• Review of workplace safety issues and strategies for effective management of workplace injury prevention;</li> <li>• Techniques on scheduling paid and unpaid supports;</li> </ul> | <p><b>The selected AWC organization receives a monthly per participant administrative fee for the FMS administrative service provided by the AWC.</b></p> <p>...</p> <p><del>In addition, the F/EA is responsible for procuring employer-related training and support through a Support Broker(s). Participants may receive assistance and training from Support Brokers on their roles and responsibilities as a common-law employer. Support Broker services are designed to provide assistance as needed with employer-related functions and maintenance in order to support the participant's ability to self-direct their services. Support Broker services are optional services and may supplement, but do not replace, the supports provided by either the F/EA or Service Coordinator. To support a participant to self-direct, duties performed by a Support Broker may include assistance with:</del></p> <ul style="list-style-type: none"> <li><del>• Understanding and/or fulfilling the responsibilities outlined in the Common Law Employer Agreement form and the Managing Employer Agreement form;</del></li> <li><del>• Understanding and completing employer or managing employer related paperwork;</del></li> <li><del>• Effective hiring techniques including creating job descriptions, ads for hiring, strategies for evaluating candidates, and informing candidate on selection or non-selection;</del></li> <li><del>• Techniques for interviewing and conducting reference checks;</del></li> <li><del>• Effective management and supervision techniques such as conflict resolution;</del></li> </ul> | <p>Add AWC vendor's responsibilities for providing orientation and training materials and describe OLTL's monitoring responsibilities of the AWC vendor.</p> <p>Amend the responsibilities of the F/EA by removing the Support Broker because the support broker activities are currently being provided either by the F/EA or by the service coordinators. It is not feasible to implement a separate support broker function because it would be duplicative. Describe OLTL's monitoring activities of the AWC vendor.</p> |

| # | Waiver Section | Current Approved Language   | Recommended Revised Language  | Reason for the Change |
|---|----------------|---|---|-----------------------|
|   |                | <ul style="list-style-type: none"> <li>• Developing systems or finding help to manage finances and resources;</li> <li>• Techniques related to problem-solving, decision-making, and achieving desired outcomes within self-directed services;</li> <li>• Developing, modifying, and negotiating an individualized spending plan; and</li> <li>• Assisting an individual to be a successful employer of self-directed services.</li> </ul> <p>Support Brokers must work collaboratively with the participant’s Service Coordinator. The Support Broker assists individuals and representatives with being able to self-direct the individual's services and supports.</p> <p>Individuals choosing to self-direct their services will receive assistance and support from their Service Coordinator. The Service Coordinator will:</p> <ul style="list-style-type: none"> <li>• Inform participants of the availability of a Support Broker to provide assistance with employer-related functions and maintenance in order to support the participant’s ability to self-direct their services;</li> <li>• Work with the F/EA and the participant as necessary to ensure all enrollment and employment paperwork is completed and sent to the F/EA;</li> <li>• Assist the participant to develop job descriptions for support workers to be employed by the participant. Job descriptions must be consistent with the individual service plan;</li> <li>• Assist the participant to secure training of support workers who deliver services that would require a degree of technical skill, and would require the guidance and instruction from a health care professional such as a Registered Nurse;</li> <li>• Assist the participant in communicating with the F/EA as needed...</li> </ul> | <ul style="list-style-type: none"> <li>• <del>Proper procedures for termination of workers or communication with the Service Coordination Entity regarding the desire for termination of workers;</del></li> <li>• <del>Review of workplace safety issues and strategies for effective management of workplace injury prevention;</del></li> <li>• <del>Techniques on scheduling paid and unpaid supports;</del></li> <li>• <del>Developing systems or finding help to manage finances and resources;</del></li> <li>• <del>Techniques related to problem solving, decision making, and achieving desired outcomes within self-directed services;</del></li> <li>• <del>Developing, modifying, and negotiating an individualized spending plan; and</del></li> <li>• <del>Assisting an individual to be a successful employer of self-directed services.</del></li> </ul> <p><del>Support Brokers must work collaboratively with the participant’s Service Coordinator. The Support Broker assists individuals and representatives with being able to self-direct the individual's services and supports.</del></p> <p><b>Participants will obtain informational materials from the AWC vendor. In addition, the AWC vendor is responsible for providing orientation and training to the participant within 14 calendar days of the notification that the participant chose of the AWC model of FMS and prior to participant’s receipt of services from a direct care worker. Orientation and training address the role and responsibilities of the participant as a managing employer, which includes:</b></p> <ul style="list-style-type: none"> <li>• <b>Information on selection and referral of potential direct care workers to the selected Applicant for hire;</b></li> <li>• <b>Training by participants for direct care workers on how to meet the participant’s needs;</b></li> <li>• <b>Determining direct care worker schedules and responsibilities;</b></li> </ul> |                       |

| # | Waiver Section | Current Approved Language   | Recommended Revised Language   | Reason for the Change |
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|   |                | <p>The OLTL Quality Management and Efficiency Teams (QMET) conducted a Readiness Review of the selected F/EA prior to serving waiver participants. The purpose of the Readiness Review was to assess and document the status of the selected vendor's readiness to meet the requirements as outlined in the competitive procurement documents. OLTL will monitor the selected F/EA to ensure that the contract deliverables are met and participants are in receipt of Financial Management Services in accordance with their ISP. The statewide F/EA will be monitored by QMET annually. OLTL will monitor the FMS organization's performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness and accuracy of payments to workers, accuracy of information provided to participants and workers by the F/EA, timeliness and accuracy of tax fillings on behalf of the participant, and executed agreements between the F/EA and the workers or other vendors. If the FMS organization is not in compliance with a contractual or waiver provisions, OLTL will issue a Statement of Findings. The F/EA will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. In addition to the process described above, OLTL will monitor performance through the use of quarterly and annual status reports as well as problem identification reports. These reports cover activities performed and issues encountered during the reporting period. OLTL will also conduct on-site monitoring more frequently if utilization or problem identification reports indicate additional review is necessary.</p> | <ul style="list-style-type: none"> <li>• <b>Managing the work performed by direct care workers in a supervisory capacity.</b></li> </ul> <p>Individuals choosing to self-direct their services will receive assistance and support from their Service Coordinator. The Service Coordinator will:</p> <ul style="list-style-type: none"> <li>– <del>Inform participants of the availability of a Support Broker to provide assistance with employer-related functions and maintenance in order to support the participant's ability to self-direct their services;</del></li> <li>• Work with the F/EA, <b>the AWC vendor</b> and the participant as necessary to ensure all enrollment and employment paperwork is completed and sent to the F/EA <b>or AWC vendor</b>;</li> <li>• Assist the participant to develop job descriptions for <b>support direct care</b> workers to be employed by the participant. Job descriptions must be consistent with the individual service plan;</li> <li>• Assist the participant to secure training of <b>support direct care</b> workers who deliver services that would require a degree of technical skill, and would require the guidance and instruction from a health care professional such as a Registered Nurse;</li> <li>• Assist the participant in communicating with the F/EA <b>or AWC vendor</b> as needed...</li> </ul> <p><del>The OLTL Quality Management and Efficiency Teams (QMET) conducted a</del> <b>will conduct a</b> Readiness Review of the selected F/EA <b>and the AWC vendor</b> prior to serving waiver participants. The purpose of the Readiness Review was to assess and document the status of the selected vendor's readiness to meet the requirements as outlined in the competitive procurement documents.</p> <p>OLTL will monitor the selected F/EA to ensure that the contract deliverables are met and participants are in receipt of Financial Management Services in accordance with their ISP. The statewide F/EA will be monitored by QMET</p> |                       |

| # | Waiver Section | Current Approved Language | Recommended Revised Language   | Reason for the Change |
|---|----------------|---------------------------|--|-----------------------|
|   |                |                           | <p>annually. OLTL will monitor the <del>FMS organization's</del> <b>F/EA's</b> performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness and accuracy of payments to workers, accuracy of information provided to participants and workers by the F/EA, timeliness and accuracy of tax fillings on behalf of the participant, and executed agreements between the F/EA and the workers or other vendors. If the <del>FMS organization</del> <b>F/EA</b> is not in compliance with a contractual or waiver provisions, OLTL will issue a Statement of Findings...</p> <p><b>OLTL will monitor the AWC vendor. This applies to all of the oversight activities below. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their PCSP. OLTL will monitor the AWC vendor's performance of administrative activities, as well as adherence to contract conditions and waiver requirements. These requirements include, but are not limited to, participant satisfaction, timeliness of processing employer and employee paperwork, timeliness of and accuracy of payments to workers, accuracy of information provided to participants and workers by the AWC vendor, and timeliness of criminal background checks and child abuse clearances as needed. If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will identify and remediate any noncompliance. OLTL will monitor performance through the use of monthly utilization reports, quarterly and annual status reports, as well as problem identification reports. These reports cover activities performed and issues encountered during the reporting period. OLTL will also conduct monitoring more frequently if utilization or problem identification reports indicate additional review is necessary.</b></p> |                       |



| #                                   | Waiver Section   | Current Approved Language   | Recommended Revised Language  | Reason for the Change  |                                     |   |   |                                     |  |                                     |   |   |
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|                                     |  |   | <p>If the AWC is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a Corrective Action Plan (CAP) in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC. OLTL reviews and approves or disapproves the CAP within 15 days of receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p> |  |                                     |   |   |                                     |  |                                     |   |   |
| 20.                                 | Appendix E-2-a. Participant – Employer Authority.  | <p>i. <b>Participant Employer Status.</b> Specify the participant's employer status under the waiver.<br/><i>Select one or both:</i></p> <table border="1" data-bbox="594 678 1247 993"> <tr> <td data-bbox="594 678 639 867"><input type="checkbox"/></td> <td data-bbox="639 678 1247 867"> <p><b>Participant/Co-Employer.</b> The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions.<br/>Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p> </td> </tr> <tr> <td data-bbox="594 867 639 993"><input checked="" type="checkbox"/></td> <td data-bbox="639 867 1247 993"> <p><b>Participant/Common Law Employer.</b> The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. 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An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.</p> | Add participant's employer status in AWC. |
| <input type="checkbox"/>            | <p><b>Participant/Co-Employer.</b> The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions.<br/>Specify the types of agencies (a.k.a., "agencies with choice") that serve as co-employers of participant-selected staff:</p> |   |   |  |                                     |   |   |                                     |  |                                     |   |   |
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| #                                   | Waiver Section   | Current Approved Language  | Recommended Revised Language  | Reason for the Change          |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
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| 21.                                 | Appendix E-2-a.<br>Participant – Employer Authority.   | <p>ii. <b>Participant Decision Making Authority.</b> The participant (or the participant’s representative) has decision making authority over workers who provide waiver services. <i>Select one or more decision making authorities that participants exercise:</i></p> <table border="1" data-bbox="588 232 1247 980"> <tr><td><input checked="" type="checkbox"/></td><td>Recruit staff</td></tr> <tr><td><input type="checkbox"/></td><td>Refer staff to agency for hiring (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Select staff from worker registry</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Hire staff (common law employer)</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify staff qualifications</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Obtain criminal history and/or background investigation of staff<br/>Specify how the costs of such investigations are compensated:<br/>To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. The CHC-MCO, or the subcontracted F/EA secures and pays for the criminal background check as described in Appendix C-2-a. In addition, child abuse clearances are required for all direct care workers providing services in homes where minor children reside. Please see Appendix C-2-b for additional information.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3. Specify the state’s method to conduct background checks if it varies from Appendix C-2-a:<br/>N/A</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff duties consistent with the service specifications in Appendix C-1/C-3.</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Determine staff wages and benefits subject to applicable state limits</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Schedule staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Orient and instruct staff in duties</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Supervise staff</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Evaluate staff performance</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Verify time worked by staff and approve time sheets</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Discharge staff (common law employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Discharge staff from providing services (co-employer)</td></tr> <tr><td><input type="checkbox"/></td><td>Other<br/>Specify:</td></tr> </table> | <input checked="" type="checkbox"/>   | Recruit staff                  | <input type="checkbox"/> | Refer staff to agency for hiring (co-employer) | <input type="checkbox"/> | Select staff from worker registry | <input checked="" type="checkbox"/> | Hire staff (common law employer) | <input checked="" type="checkbox"/> | Verify staff qualifications | <input checked="" type="checkbox"/> | Obtain criminal history and/or background investigation of staff<br>Specify how the costs of such investigations are compensated:<br>To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. 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| <input checked="" type="checkbox"/> | Recruit staff  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Refer staff to agency for hiring (co-employer)   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Select staff from worker registry  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Hire staff (common law employer)   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Verify staff qualifications  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
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| <input checked="" type="checkbox"/> | Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3. Specify the state’s method to conduct background checks if it varies from Appendix C-2-a:<br>N/A   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Determine staff duties consistent with the service specifications in Appendix C-1/C-3.   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Determine staff wages and benefits subject to applicable state limits  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Schedule staff   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Orient and instruct staff in duties  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Supervise staff  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Evaluate staff performance   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Verify time worked by staff and approve time sheets  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Discharge staff (common law employer)  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Discharge staff from providing services (co-employer)  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Other<br>Specify:  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Recruit staff  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Refer staff to agency for hiring (co-employer)   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Select staff from worker registry  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Hire staff (common law employer)   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Verify staff qualifications  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Obtain criminal history and/or background investigation of staff<br>Specify how the costs of such investigations are compensated:<br>To ensure all participants make an informed choice of service and service delivery, criminal background checks are mandatory for individuals performing personal assistance services. The CHC-MCO, or the subcontracted F/EA, and the AWC vendor secures and pays for the criminal background check as described in Appendix C-2-a. In addition, child abuse clearances are required for all direct care workers providing services in homes where minor children reside. Please see Appendix C-2-b for additional information. |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3. Specify the state’s method to conduct background checks if it varies from Appendix C-2-a:<br>N/A   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Determine staff duties consistent with the service specifications in Appendix C-1/C-3.   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Determine staff wages and benefits subject to applicable state limits  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Schedule staff   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Orient and instruct staff in duties  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Supervise staff  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Evaluate staff performance   |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Verify time worked by staff and approve time sheets  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Discharge staff (common law employer)  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input checked="" type="checkbox"/> | Discharge staff from providing services (co-employer)  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| <input type="checkbox"/>            | Other<br>Specify:  |  |   |                                |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |
| 22.                                 | Appendix H-1-a-i. – System Improvements  | <p>The Division of Quality Assurance in BQPM is responsible for collecting discovery and remediation information, analyzing that information, recommending system improvements and analyzing the effectiveness of the improvement initiatives. This Division is comprised of the Quality Management Unit (QMU) and the Quality Management and Efficiency Teams (QMET).</p> <p>The functions of the Division of Quality Assurance are:</p> <ul style="list-style-type: none"> <li>To conduct quality monitoring of long term living programs and services to ensure compliance with federal and state regulations and the 6 waiver assurances</li> <li>To conduct provider monitoring to align with the 6 assurances to gather accurate data to determine compliance</li> </ul>   | <p>The Division of Quality Assurance in <b>BQPM BQAPA</b> is responsible for collecting discovery and remediation information, analyzing that information, recommending system improvements and analyzing the effectiveness of the improvement initiatives. This Division is comprised of the <b>Quality Management Unit (QMU) and the Quality Management and Efficiency Teams (QMET). Quality Review Team and the Clinical Review Team.</b></p> <p>The functions of the Division of Quality Assurance are:</p> <ul style="list-style-type: none"> <li>To eConduct quality monitoring of long long-term living programs and services to ensure compliance with federal and state regulations and the 6 waiver assurances</li> </ul> | Update QIS to current process. |                          |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                          |   |                          |                   |   |                                     |               |                                     |  |                          |                                   |                                     |                                  |                                     |                             |                                     |  |                                     |  |                                     |  |                                     |   |                                     |                |                                     |                                     |                                     |                 |                                     |                            |                                     |   |                                     |                                       |                                     |   |                          |                   |   |

| # | Waiver Section | Current Approved Language   | Recommended Revised Language   | Reason for the Change |
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|   |                | <ul style="list-style-type: none"> <li>To compile reports for on data for the 6 assurances to measure the effectiveness of program design and suggest improvement initiatives</li> <li>To use data to support the development and implementation of policies and protocols to insure quality program outcomes</li> <li>To develop and implement training and technical assistance for staff, providers and participants to insure quality service delivery</li> <li>To convene a Technical Assistance Workgroup comprised of OLTL staff to insure consistent policy communication to providers and staff</li> <li>To collaborate with other bureaus in the OLTL, external stakeholders, other state agencies and the Quality Council to effectively implement this QIS</li> <li>To recommend strategies for continuous quality improvement</li> <li>To maximize the quality of life, functional independence, health and welfare and satisfaction of participants in OLTL waivers</li> </ul> <p>The following reports are used to collect data which is then analyzed by the QMU to implement the QIS. The frequency of data compilation is indicated after each report. Each of the reports listed below was specifically designed to collect the data needed to assure compliance. The QMU works with various other bureaus and divisions in the OLTL to ensure the reports and data collected are valid and being set up and compiled correctly. The reports are monitored to determine possible causes of aberrant data and compliance issues.</p> <p>Administrative Authority Assurance:</p> <ul style="list-style-type: none"> <li>Level of Care Determination Report - Quarterly</li> <li>Independent Enrollment Broker Contractual Obligation Report for Area Agencies on Aging - Quarterly</li> <li>Initial and Annual Level of Care Report - Quarterly</li> </ul> | <ul style="list-style-type: none"> <li><del>To conduct provider monitoring to align with the 6 assurances to gather accurate data to determine compliance</del></li> <li>To compile reports for on data for the 6 <b>waiver</b> assurances to measure the effectiveness of program design and suggest improvement initiatives</li> <li>To Use data to support the development and implementation of policies and protocols to <b>insure ensure</b> quality program outcomes</li> <li><b>Collaborate with other bureaus in OLTL</b> to develop and implement training and technical assistance for staff, providers and participants to <b>insure ensure</b> quality service delivery <b>and consistent policy communication</b></li> <li><del>To convene a Technical Assistance Workgroup comprised of OLTL staff to insure consistent policy communication to providers and staff</del></li> <li>To Collaborate with other bureaus in the OLTL, external stakeholders, other state agencies <b>and the Quality Council</b> to effectively implement <b>this the</b> QIS</li> <li>To Recommend strategies for continuous quality improvement</li> <li>To Maximize the quality of life, functional independence, health and welfare and satisfaction of participants in OLTL waivers</li> </ul> <p>The following <b>CMS Waiver Assurances are evaluated based on approved waiver performance measures. There are several reports performed by Subject Matter Experts (SMEs) in OLTL that provide the data for the waiver performance measures.</b> are used to collect data which is then <b>The performance measures are</b> analyzed by the <b>QMU Division of Quality Assurance</b> to implement the QIS. The frequency of data compilation is indicated after each report. Each of the <b>performance measure</b> report listed below was specifically designed to collect the data needed to <b>assure ensure</b> compliance <b>with the CMS Waiver Assurances.</b> The <b>QMU Division of Quality Assurance</b> works with various other bureaus and divisions in the OLTL to</p> |                       |

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|   |                | <ul style="list-style-type: none"> <li>• Qualified Provider Assurance:</li> <li>• Qualified Provider Report - Quarterly</li> <li>• Initial Provider Enrollment Report - Quarterly</li> </ul> <p>Service Plan Assurance:</p> <ul style="list-style-type: none"> <li>• Service Plan Assurance Data Report - Monthly</li> <li>• Participant Satisfaction Survey Results – 3 times per year</li> <li>• QMET Report on Service Delivery - Quarterly</li> <li>• Enterprise Incident Management (EIM) Report on Complaints - Monthly/On Demand</li> </ul> <p>Health and Welfare Assurance:</p> <ul style="list-style-type: none"> <li>• Three EIM Reports on Complaints and Incidents – Monthly/On Demand</li> <li>• Participant Satisfaction Survey Reports – 3 times per year</li> </ul> <p>Financial Accountability Assurance</p> <ul style="list-style-type: none"> <li>• Onsite Paid Claims Report - Quarterly</li> <li>• PROMISe Paid Claims Report - Monthly</li> <li>• FEA Deliverable Report - Monthly</li> </ul> <p>The reports obtained are reviewed by Quality Management Liaisons (QML) in the QMU. Data is analyzed and reviewed for each assurance. When areas of low compliance are identified, strategies to mitigate the non-compliance are discussed first with the Unit Supervisor, then Division Director and subsequently at the Quality Management Meeting with representatives from each bureau in OLTL in attendance. At that meeting, each member of the group suggests and discusses ideas to increase compliance with the particular assurance previously identified as problematic. An agreement is reached on a plan to roll out to involved entities, such as providers or contracted entities. The bureau responsible for the entity is directed to implement the plan and follow up for technical assistance. Compliance with the assurance is then monitored closely to insure the compliance rate increases. If this is not the case,</p> | <p>ensure the reports and data collected are valid <del>and being set up</del> and compiled correctly. The reports are monitored <del>to determine possible causes of aberrant</del> <b>for irregular or unusual</b> data and compliance issues.</p> <p>Administrative Authority Assurance: <b>Six Performance Measures</b></p> <ul style="list-style-type: none"> <li>• Level of Care Determination Report <del>Quarterly</del></li> <li>• Independent Enrollment Broker Contractual Obligation Report <del>for Area Agencies on Aging – Quarterly</del></li> <li>• Initial and Annual Level of Care Report <del>Quarterly</del></li> </ul> <p><b>Level of Care Assurance: Two Performance Measures</b></p> <ul style="list-style-type: none"> <li>• <b>Level of Care Determination Report</b></li> <li>• <b>Initial and Annual Level of Care Report</b></li> </ul> <p>Qualified Provider Assurance: <b>Five Performance Measures</b></p> <ul style="list-style-type: none"> <li>• Qualified Provider Report <del>Quarterly</del></li> <li>• Initial Provider Enrollment Report <del>Quarterly</del></li> </ul> <p>Service Plan Assurance: <b>Eight Performance Measures</b></p> <ul style="list-style-type: none"> <li>• Service Plan Assurance Data Report <del>Monthly</del></li> <li>• Participant Satisfaction Survey Results <del>– 3 times per year</del></li> <li>• QMET Report on Service Delivery <del>Quarterly</del></li> <li>• Enterprise Incident Management (EIM) Report on Complaints <del>– Monthly/On Demand</del></li> </ul> <p>Health and Welfare Assurance: <b>Fourteen Performance Measures</b></p> <ul style="list-style-type: none"> <li>• Three EIM Reports on Complaints and Incidents <del>– Monthly/On Demand</del></li> <li>• Participant Satisfaction Survey Reports <del>– 3 times per year</del></li> <li>• <b>Service Plan Assurance Data Report</b></li> </ul> <p>Financial Accountability Assurance: <b>Five Performance Measures</b></p> <ul style="list-style-type: none"> <li>• Onsite Paid Claims Report <del>Quarterly</del></li> <li>• PROMISe Paid Claims Report - <b>Monthly</b></li> </ul> |                       |

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|   |                | <p>the process begins again until the compliance rate increases to the acceptable level.</p> <p>Quality information is reported to agencies, waiver providers, participants, families and other interested parties in several ways. The OLTL distributes information internally during monthly Quality Management Meeting. These meetings are comprised of OLTL Bureau Directors and/or designees as well as other OLTL staff who may be invited. Information related to the performance measures is shared and if needed remediation is discussed for achieving targeted goals. After discussion, at the Quality Management Meeting. Quality information is also presented at the Department of Human Services (DHS) Medical Assistance Advisory Committee Meetings as requested. These meetings involve DHS and stakeholders. The OLTL also provides data as requested to providers, participants and other parties. Results from the Participant Satisfaction Survey are posted on the DHS website 3 times per year. Results from provider monitoring are communicated to providers as soon as possible after the monitoring takes place.</p> <p>Summarized below are the system improvement activities followed in response to aggregated, analyzed discovery and remediation information collected on each assurance.</p> <ol style="list-style-type: none"> <li>The QML for each of the assurances reviews the data collected to determine compliance issues.</li> <li>The data collected is aggregated for tracking and trending.</li> <li>The QML makes initial recommendations and prioritizes issues for problem solving and corrective measures to the Unit Supervisor.</li> <li>The Unit Supervisor reviews the recommendations and presents the issue to the Division Director.</li> <li>Issues are then placed on the agenda for the Quality Management Meeting.</li> </ol> | <ul style="list-style-type: none"> <li><del>FEA Deliverable Report – Monthly</del></li> <li><b>PROMISE Claims/Rate Setting and Payment Report</b></li> </ul> <p><del>The</del> <b>After completing their</b> reports, <b>OLTL SMEs provide the Division of Quality Assurance with the data for the performance measures. The performance measures</b> obtained are reviewed by <del>Quality Management Liaisons (QML) in the QMU</del> <b>the Division of Quality Assurance.</b> Data is analyzed and reviewed for each <del>waiver</del> assurance <b>to ensure the reports and performance measures collected are valid.</b> <del>When areas of low compliance are</del> <b>If non-compliance or low compliance is identified, the bureaus and divisions in OLTL discuss</b> strategies to mitigate the non-compliance <del>are discussed first with the Unit Supervisor, then Division Director and subsequently at the Quality Management Meeting with representatives from each bureau in OLTL in attendance</del> <b>for mitigation and the appropriate bureau or division follows up with the entity and discusses the steps needed to bring them into compliance including (if needed) technical assistance from OLTL.</b> <del>At that meeting, each member of the group suggests and discusses ideas to increase compliance with the particular assurance previously identified as problematic. An agreement is reached on a plan to roll out to involved entities, such as providers or contracted entities. The bureau responsible for the entity is directed to implement the plan and follow up for technical assistance. Compliance with the assurance is then monitored closely to</del> <b>insure ensure the compliance performance measure rate increases. If this is not the case the performance measure rate does not increase,</b> the process begins again until the compliance rate increases to the acceptable level <b>of 86% as established by CMS. The continued improvement of performance measure compliance rates beyond 86% is pursued. Whenever possible OLTL strives to establish systems that achieve 100% performance measure compliance rates.</b></p> |                       |

| # | Waiver Section | Current Approved Language   | Recommended Revised Language  | Reason for the Change |
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|   |                | <p>6. At the Quality Management Meeting, issues and data are presented to the members.</p> <p>7. Recommendations are made to remediate the issue.</p> <p>8. The Director of the BQPM makes the decision on which plan will be used to remediate.</p> <p>9. The appropriate bureau implements the plan with the responsible entity and provides technical assistance to implement the plan.</p> <p>10. The QML insures that the plan was successful by reviewing the compliance data following implementation of the plan.</p> <p>11. The QML reports on the success of prior remediation activities at Quality Management Meetings.</p> <p>This above process outlines the OLTL QIS. The QIS is reviewed at each Quality Management meeting (monthly) to insure the QIS is working and on target.</p> <p>The roles and responsibilities are as follows:</p> <p>Quality Management Liaisons:</p> <ul style="list-style-type: none"> <li>• Identify and collect needed data</li> <li>• Ensure that data from reports is valid and accurate captures compliance with the 6 assurances</li> <li>• Aggregate, review and analyze data to identify issues and trends</li> <li>• Identify compliance issues</li> <li>• Look for aberrant data and determine causes</li> <li>• Make initial recommendations for problem solving, corrective measures and system changes</li> <li>• Follow up on effectiveness of remediation plan and recommend alternatives if plan is not achieving desired result of reducing non-compliance</li> <li>• Develop mandatory training for Service Coordinators on Assurances</li> </ul> <p>Unit Supervisor and Division Director:</p> | <p><del>Quality information is reported to agencies, waiver providers, participants, families and other interested parties in several ways. The OLTL distributes information internally during monthly through various Quality Management Meeting. These meetings are comprised of OLTL Bureau Directors, Division Directors, and/or designees, SMEs as well as other OLTL staff who may be invited pertinent to the discussion. Information related to the performance measures is shared and if needed remediation is discussed for achieving targeted goals. After discussion, at the Quality Management Meeting. Quality information is also presented at the Department of Human Services (DHS) Medical Assistance Advisory Committee Meetings as requested. These meetings involve DHS and stakeholders. The OLTL also provides data as requested to providers, participants and other parties stakeholders and interested parties. Results from the Participant Satisfaction Survey are posted on the DHS website 3 times per year. Results from provider monitoring are communicated to providers as soon as possible after the monitoring takes place.</del></p> <p><b>Bureau/Division Responsibilities</b></p> <p>Summarized below are the system improvement activities that are followed in response to aggregated, analyzed discovery and remediation information collected on each assurance.:</p> <ol style="list-style-type: none"> <li>1. <del>The QML for each of the assurances reviews the data collected to determine compliance issues.</del></li> <li>2. <del>The data collected is aggregated for tracking and trending.</del></li> <li>3. <del>The QML makes initial recommendations and prioritizes issues for problem solving and corrective measures to the Unit Supervisor.</del></li> <li>4. <del>The Unit Supervisor reviews the recommendations and presents the issue to the Division Director.</del></li> <li>5. <del>Issues are then placed on the agenda for the Quality Management Meeting.</del></li> </ol> |                       |

| # | Waiver Section | Current Approved Language   | Recommended Revised Language  | Reason for the Change |
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|   |                | <ul style="list-style-type: none"> <li>Review QML issues and recommendations for inclusion in the monthly Quality Management meetings.</li> <li>Maintain an Issues Chart to track progress on remediation and system changes and insure the issue is resolved and non-compliance is reduced.</li> <li>Hold monthly Quality Management meetings with OLTL Bureau Directors to discuss trends and plans to correct quality issues.</li> </ul> <p>Representatives from OLTL Bureaus:</p> <ul style="list-style-type: none"> <li>Attend meetings</li> <li>Make recommendations and suggestions to remediate issues and system changes</li> <li>Review recommendations made by QML</li> <li>Monitor follow up and results</li> </ul> <p>BQPM Director</p> <ul style="list-style-type: none"> <li>The Director of BQPM oversees the daily progress of activities related to the performance measures outlined in the waiver. The Director also reviews and has input on the identification and collection of all data to be used in reports during the monthly Quality management Meetings and also what may be shared with the Medical Assistance Advisory Committee. The Director will also make final decisions on plans to be followed to remediate identified issues.</li> </ul> | <p><del>6. At the Quality Management Meeting, issues and data are presented to the members.</del></p> <p><del>7. Recommendations are made to remediate the issue.</del></p> <p><del>8. The Director of the BQPM makes the decision on which plan will be used to remediate.</del></p> <p><del>9. The appropriate bureau implements the plan with the responsible entity and provides technical assistance to implement the plan.</del></p> <p><del>10. The QML insures that the plan was successful by reviewing the compliance data following implementation of the plan.</del></p> <p><del>11. The QML reports on the success of prior remediation activities at Quality Management Meetings.</del></p> <ul style="list-style-type: none"> <li><b>The appropriate OLTL bureau or division for each of the six waiver assurances reviews the data from the reports to ensure it is valid, accurate and compliant.</b></li> <li><b>Data collected is aggregated for tracking and trending.</b></li> <li><b>The appropriate OLTL bureau or division makes initial recommendations and prioritizes issues for problem solving, corrective measures and system changes.</b></li> <li><b>Remediation plans are reviewed and alternatives discussed if the plan does not achieve desired result of reducing non-compliance.</b></li> <li><b>Recommendations are made for remediation and/or system changes to ensure the issue is resolved and non-compliance is reduced.</b></li> <li><b>The appropriate OLTL bureau or division implements the remediation plan and/or system changes with the responsible entity and provides technical assistance as needed.</b></li> <li><b>The appropriate OLTL bureau or division ensures that the remediation plan and/or system changes were successful by reviewing the compliance data following implementation of the plan.</b></li> </ul> |                       |



| # | Waiver Section | Current Approved Language | Recommended Revised Language  | Reason for the Change |
|---|----------------|---------------------------|---|-----------------------|
|   |                |                           | <ul style="list-style-type: none"> <li>• The appropriate OLTL bureau or division reports on the success of remediation activities and/or system changes.</li> </ul> <p>This above process outlines the OLTL QIS. The QIS is reviewed at each Quality Management meeting (monthly) to insure <b>evaluated on an ongoing continuous basis through the implementation of the continuous quality cycle to ensure</b> the QIS is working and on target.</p> <p><del>The roles and responsibilities are as follows:</del></p> <p><b>Quality Management Liaisons:</b></p> <ul style="list-style-type: none"> <li>• Identify and collect needed data</li> <li>• Ensure that data from reports is valid and accurate captures compliance with the 6 assurances</li> <li>• Aggregate, review and analyze data to identify issues and trends</li> <li>• Identify compliance issues</li> <li>• Look for aberrant data and determine causes</li> <li>• Make initial recommendations for problem solving, corrective measures and system changes</li> <li>• Follow up on effectiveness of remediation plan and recommend alternatives if plan is not achieving desired result of reducing non-compliance</li> <li>• Develop mandatory training for Service Coordinators on Assurances</li> </ul> <p><b>Unit Supervisor and Division Director:</b></p> <ul style="list-style-type: none"> <li>• Review QML issues and recommendations for inclusion in the monthly Quality Management meetings.</li> <li>• Maintain an Issues Chart to track progress on remediation and system changes and insure the issue is resolved and non-compliance is reduced.</li> <li>• Hold monthly Quality Management meetings with OLTL Bureau Directors to discuss trends and plans to correct quality issues.</li> </ul> |                       |

| #   | Waiver Section                            | Current Approved Language   | Recommended Revised Language   | Reason for the Change          |
|-----|---|---|--|--------------------------------|
|     |   |   | <p>Representatives from OLTL Bureaus:</p> <ul style="list-style-type: none"> <li>Attend meetings</li> <li>Make recommendations and suggestions to remediate issues and system changes</li> <li>Review recommendations made by QML</li> <li>Monitor follow up and results</li> </ul> <p><b>BQPM BQAPA</b> Director</p> <ul style="list-style-type: none"> <li>The Director of <b>BQPM BQAPA</b> oversees the daily progress of activities related to the performance measures outlined in the waiver. The Director <b>also</b> reviews and <b>has provides</b> input on the identification and collection of all data to be used in reports <b>and during the monthly Quality management Meetings and also</b> what may be shared with the Medical Assistance Advisory Committee <b>(MAAC) and the Consumer Subcommittee of the MAAC</b>. The Director will also make final decisions on <b>plans to be followed to remediate identified issues remediation and system changes to be followed.</b></li> </ul> |                                |
| 23. | Appendix H-1-b-i. – System Design Changes | <p>The process to continuously assess the effectiveness of this QIS and revise as necessary is as follows:</p> <ul style="list-style-type: none"> <li>Monthly Quality Management Meeting will be held with the sole purpose of looking at the QIS and evaluating the effectiveness of the strategy.</li> <li>Prior to submission of the Evidentiary Based Review for the waiver renewal, a Quality Management Meeting will be held for the same purpose.</li> <li>Independent persons not associated with OLTL will be invited to access the effectiveness of the strategy.</li> <li>The Issues Chart will be made available along with a summary of the steps taken to resolve the issues.</li> <li>The Independent Reviewer will access and make recommendations for change.</li> <li>Annually a Quality Management Meeting will be dedicated for review of the Issues Chart and recommendations for change.</li> </ul> | <p>The process to continuously assess the effectiveness of this QIS and revise as necessary is as follows:</p> <ul style="list-style-type: none"> <li><del>Monthly Quality Management Meeting will be held with the sole purpose of looking at the QIS and evaluating the effectiveness of the strategy.</del></li> <li><b>OLTL Subject Matter Experts (SMEs) provide the Quality Division with data for the waiver performance measures. SMEs also provide the Quality Division with information regarding their analysis process. SMEs also provide descriptions of the remediation process and quality improvement activities as necessary.</b></li> <li>Prior to submission of the Evidentiary Based Review for the waiver renewal, <del>a Quality Management Meeting will be held for the same purpose</del> <b>a draft of the EBR is shared with the OLTL Executive Team which is comprised of the Deputy Secretary, The Chief of Staff, Bureau Directors, and other designees.</b></li> </ul>         | Update QIS to current process. |



| #   | Waiver Section                             | Current Approved Language   | Recommended Revised Language   | Reason for the Change          |
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|     |  | <p>The Quality Improvement System outlined also applies to the Aging (control number 0279), Attendant Care (control number 0277), Independence (control number 0319), CommCare (control number 0386). The discovery and remediation data gathered during the implementation of the QIS will be waiver specific and stratified. Because the renewals are staggered, the QIS will automatically receive a periodic evaluation during the point of the renewal of each waiver. The QIS process for the OBRA waiver will be reviewed after the EBR final report and prior to the submission of the renewal.</p>   | <ul style="list-style-type: none"> <li>• <b>Prior to submission of the EBR all data is reviewed by the DHS PeopleStat (internal data analysis group).</b></li> <li>• <del>Independent persons not associated with OLTL will be invited to access the effectiveness of the strategy.</del></li> <li>• <del>The Issues Chart will be made available along with a summary of the steps taken to resolve the issues.</del></li> <li>• <del>The Independent Reviewer will access and make recommendations for change.</del></li> <li>• <del>Annually a Quality Management Meeting will be dedicated for review of the Issues Chart and recommendations for change.</del></li> </ul> <p><del>The Quality Improvement System outlined also applies to the Aging (control number 0279), Attendant Care (control number 0277), Independence (control number 0319), CommCare (control number 0386). The discovery and remediation data gathered during the implementation of the QIS will be is OBRA waiver specific and stratified. Because the renewals are staggered, the QIS will automatically receive a periodic evaluation during the point of the renewal of each waiver. The QIS process for the OBRA waiver will be reviewed after the EBR final report and prior to the submission of the waiver renewal.</del></p> |                                |
| 24. | Appendix H-1-b-ii. – System Design Changes | <p>The Quality Improvement Strategy (QIS) will be evaluated on an on-going and continuous basis through the implementation of the continuous quality cycle. QIS changes will be collected and reported on the annual CMS 372s. The QIS will require a formal review every two years. For the two year review, the Quality Management Unit (QMU) Assurance Liaisons will follow the QMU QIS Evaluation Protocol, will review the waiver assurance’s discovery and remediation functions, and will apply comments and recommendations. In addition the QIS Liaison will review the Improvement Strategy, collect input from OLTL and will combine the resulting recommendations with those that are reported on the waiver assurances. Additional input from the OLTL Quality Meetings will be considered and follow-up on identified</p> | <p>The Quality Improvement Strategy (QIS) will be evaluated on an on-going and continuous basis <del>through the implementation of the continuous quality cycle. QIS changes will be collected and reported on the annual CMS 372s.</del> The QIS will require a formal review every two years. For the two year review, the <b>Division of Quality Management Unit (QMU) Assurance Liaisons</b> <del>Assurance</del> <b>will follow the QMU QIS Evaluation Protocol,</b> will review the waiver assurance’s <b>performance measures and</b> discovery and remediation functions, and will <del>apply comments and recommendations</del> <b>make changes when necessary.</b> In addition the QIS Liaison <b>The Division of Quality Assurance</b> will review the Improvement Strategy, <del>collect input from OLTL and will combine the resulting recommendations with those that are reported on the waiver assurances</del> <b>and</b></p>   | Update QIS to current process. |

| #   | Waiver Section   | Current Approved Language  | Recommended Revised Language  | Reason for the Change   |
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|     |  | <p>issues will occur through the QIS. The results of aggregated information pertaining to the delivery of services including all corrective action plan activities of providers, provider billing information, analysis of provider adherence to performance measures established, etc. will be reviewed and discussed to evaluate the effectiveness of program success. Any needed alterations to the QIS will be made after this evaluation is completed.</p> <ul style="list-style-type: none"> <li>• The Cognos report's data is manually verified.</li> <li>• The size of the data sample is supported through the use of a sample size calculator available at: <a href="https://content.metrixmatrix.com/sample.html">https://content.metrixmatrix.com/sample.html</a>.</li> <li>• The report's data is randomly sorted through Microsoft Excel Macros.</li> <li>• The random data sample that is created by the Microsoft Excel Macros is used to identify the HCBS claims that are to be reviewed for a HCBS provider.</li> </ul> | <p><del>comments/recommendations from the SMEs. Additional input from the OLTL Quality Meetings will be considered and follow up on identified issues will occur through the QIS.</del>—The results of aggregated information pertaining to the delivery of services including all corrective action plan activities of providers, provider billing information, analysis of provider adherence to performance measures established, etc. will be reviewed and discussed to evaluate the effectiveness of program success. Any needed alterations to the QIS will be made after this evaluation is completed.</p> <ul style="list-style-type: none"> <li>• <del>The Cognos report's data is manually verified.</del></li> <li>• <del>The size of the data sample is supported through the use of a sample size calculator available at: <a href="https://content.metrixmatrix.com/sample.html">https://content.metrixmatrix.com/sample.html</a>.</del></li> <li>• <del>The report's data is randomly sorted through Microsoft Excel Macros.</del></li> <li>• <del>The random data sample that is created by the Microsoft Excel Macros is used to identify the HCBS claims that are to be reviewed for a HCBS provider.</del></li> </ul>  |   |
| 25. | Appendix H-2. – Use of a Patient Experience of Care/Quality of Life Survey | <p><b>H.2 Use of a Patient Experience of Care/Quality of Life Survey</b></p> <p>a. Specify whether the state has deployed a patient experience of care or quality of life survey for its HCBS population in the last 12 months (<i>Select one</i>):</p> <ul style="list-style-type: none"> <li>• No</li> </ul> <p>Yes (<i>Complete item H.2b</i>)</p> <p>b. Specify the type of survey tool the state uses:</p> <ul style="list-style-type: none"> <li>○ HCBS CAHPS Survey;</li> <li>○ NCI Survey;</li> <li>○ NCI AD Survey;</li> </ul> <p>Other (<i>Please provide a description of the survey tool used</i>):</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>  | <p><b>H.2 Use of a Patient Experience of Care/Quality of Life Survey</b></p> <p>a. Specify whether the state has deployed a patient experience of care or quality of life survey for its HCBS population in the last 12 months (<i>Select one</i>):</p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> No</li> <li><input type="radio"/> Yes (<i>Complete item H.2b</i>)</li> </ul> <p>b. Specify the type of survey tool the state uses:</p> <ul style="list-style-type: none"> <li>○ HCBS CAHPS Survey;</li> <li>○ NCI Survey;</li> <li>○ NCI AD Survey;</li> <li><input checked="" type="radio"/> Other (<i>Please provide a description of the survey tool used</i>):</li> </ul> <div style="border: 1px solid black; padding: 5px;"> <p>The Participant Review Tool (PRT) was designed by Office of Long-Term Living (OLTL) and Service Coordinators (SC) to elicit information from the participant in order to help the SC determine whether the participant needs additional, different and/or varied services, including additional community activities. The PRT is administered by the SC, which, was intended to assist the SC Entity to identify signs of actual or potential abuse, neglect, and exploitation and determine the next steps they need to take in order to protect the health and welfare of the participant.</p> </div> | Update QIS to current process.  |
| 26. | Appendix A Quality Improvement: Administrative                             | Performance Measure AA-6<br>Number and percent of contractual obligations met by the FEA regarding the execution of Medicaid provider agreements.  | <del>Performance Measure AA-6<br/>Number and percent of contractual obligations met by the FEA regarding the execution of Medicaid provider agreements.</del>   | Remove Performance Measure (PM) AA-6 because the data is being collected under PM AA-5. |

| #   | Waiver Section                                 | Current Approved Language  | Recommended Revised Language  | Reason for the Change                                      |
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|     |  | <p>Numerator: Number of contractual obligations met by the FEA regarding the execution of Medicaid provider agreements</p> <p>Denominator: Total number of contractual obligations of the FEA regarding the execution of Medicaid provider agreements</p>  | <p><del>Numerator: Number of contractual obligations met by the FEA regarding the execution of Medicaid provider agreements</del></p> <p><del>Denominator: Total number of contractual obligations of the FEA regarding the execution of Medicaid provider agreements</del></p>   |  |
| 27. | Appendix A Quality Improvement: Administrative |  | <p><b>Performance Measure AA-8</b></p> <p><b>Number and percent of contractual obligations met by the Agency with Choice (AWC) vendor</b></p> <p><b>Numerator: Number of contractual obligations met by the AWC vendor</b></p> <p><b>Denominator: Total number of contractual obligations</b></p>   | Add PM AA-8 to measure the AWC vendor's performance.       |
| 28. | Appendix A Quality Improvement: Administrative | <p>The Bureau of Quality &amp; Provider Management (BQPM) reviews AAAs regarding the initial LOC, reevaluations of LOC, F/EA and enrollment functions. The BQPM uses standard monitoring tools which outline the provider requirements as listed in the waiver and the Fiscal/Employer Agent (F/EA) contract, including LOC determination, F/EA, and enrollment functions. The BQPM verifies that the LOC determination, F/EA, and enrollment requirements continue to be met during the reviews. During the AAA review, random samples of consumer records are reviewed to ensure compliance with waiver LOC determination standards. Each AAA will be reviewed every two years, at minimum.</p> <p>Q16. The State will follow the sampling methods and timelines as outlined in the waiver specific transition plan.</p> | <p><del>The Bureau of Quality &amp; Provider Management (BQPM)</del> <b>Assurance and Program Analytics (BQAPA)</b> reviews AAAs regarding the initial LOC, reevaluations of LOC, F/EA and enrollment functions. The <del>BQPM</del> <b>BQAPA</b> uses standard monitoring tools which outline the provider requirements as listed in the waiver and the Fiscal/Employer Agent (F/EA) contract, including LOC determination, F/EA, and enrollment functions. The <del>BQPM</del> <b>BQAPA</b> verifies that the LOC determination, F/EA, and enrollment requirements continue to be met during the reviews. During the AAA review, random samples of consumer records are reviewed to ensure compliance with waiver LOC determination standards. Each AAA will be reviewed every two years, at minimum.</p> <p><del>Q16.</del> The State will follow the sampling methods and timelines as outlined in the waiver specific transition plan.</p> <p><b>OLTL has oversight of the AWC vendor. OLTL will monitor the AWC vendor annually to ensure that the contract deliverables are met, and participants are in receipt of Financial Management Services in accordance with their PCSP. OLTL will monitor the AWC vendor's performance of administrative activities, as well as adherence to contract conditions and waiver requirements.</b></p> | Add OLTL's responsibility for oversight of the AWC vendor. |

| # | Waiver Section | Current Approved Language | Recommended Revised Language  | Reason for the Change |
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|   |                |                           | <p>...</p> <p>If the AWC vendor is not in compliance with contractual or waiver provisions, OLTL will issue a Statement of Findings. The AWC will be required to develop a CAP in response to each finding and remediate areas of non-compliance. The CAP is due to OLTL within 15 days of issuance of findings to the AWC vendor. OLTL reviews and approves or disapproves the CAP within 15 days of receipt. OLTL will conduct follow-up monitoring activities to ensure the CAP is instituted and identified issues are remediated. Service Coordinators will also be required to report any issues with the AWC vendor's performance to OLTL.</p> |                       |